

Practitioner's Docket No. 4521/001

## CHAPTER II

Preliminary Classification:

Proposed Class:

Subclass:

**TRANSMITTAL LETTER  
TO THE UNITED STATES ELECTED OFFICE (EO/US)**

**(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)**

PCT/US99/00086	04 January 1999 (4.01.99)	06 January 1998 (6.01.98)
International Application Number	International Filing Date	International Earliest Priority Date

TITLE OF INVENTION: HUMAN MOTION FOLLOWING COMPUTER MOUSE AND GAME CONTROLLER

APPLICANT(S): Frey, Robert D.; Grealish, Kevin; Vock, Curtis A.; and Marshall, Charles M.

**Box PCT (EO/US)**  
**Assistant Commissioner for Patents**  
**Washington D.C. 20231**

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. Section 371:

- a. This express request to immediately begin national examination procedures (35 U.S.C. Section 371(f)).
- b. The U.S. National Fee (35 U.S.C. Section 371(c)(1)) and other fees (37 C.F.R. Section 1.492) as indicated below:

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.10\***

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I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

[ ] deposited with the United States Postal Service in an envelope addressed to Box PCT (EO/US), the Assistant Commissioner for Patents, Washington, D.C. 20231, as "Express Mail Post Office to Address" Mailing Label No. EL591297514US (mandatory)

Date:

6/30/00  
*Ceryl Martinez*  
Ceryl Martinez

## 2. Fees

CLAIMS FEE*	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS	82 - 20 =	62	x \$18.00 =	\$1,116.00
	INDEPENDENT CLAIMS	2 - 3 =	0	x \$78.00 =	\$0.00
	MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$260.00				\$0.00
BASIC FEE	U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where an International preliminary examination fee as set forth in Section 1.482 has been paid on the international application to the U.S. PTO: and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(2) to (4) have been satisfied for all the claims presented in the application entering the national stage (37 C.F.R. Section 1.492(a)(4)) ..... \$96.00				\$96.00
	Total of above Calculations				= \$1,212.00
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed. (note 37 CFR Sections 1.9, 1.27, 1.28)				- \$606.00
	Subtotal				\$606.00
	Total National Fee				\$606.00
	Fee for recording the enclosed assignment document \$40.00 (37 C.F.R. Section 1.21(h)). See attached "ASSIGNMENT COVER SHEET".				\$0.00
TOTAL	Total Fees enclosed				\$606.00

A check in the amount of \$606.00 to cover the above fees is enclosed.

3. A copy of the International application as filed (35 U.S.C. Section 371(c)(2)) is transmitted herewith.
4. A translation of the International application into the English language (35 U.S.C. Section 371(c)(2)) is not required as the application was filed in English.
5. Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. Section 371(c)(3)) are transmitted herewith.
6. A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. Section 371(c)(3)) is not required as the amendments were made in the English language.
7. A copy of the international examination report (PCT/IPEA/409) will be transmitted if requested.
8. Annex(es) to the international preliminary examination report will be transmitted if requested.

9. A translation of the annexes to the international preliminary examination report is not required as the annexes are in the English language.

10. An oath or declaration of the inventor (35 U.S.C. Section 371(c)(4)) complying with 35 U.S.C. Section 115 is submitted herewith, and such oath or declaration is attached to the application.

II. Other document(s) or information included:

11. An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a) is transmitted herewith.

12. An Information Disclosure Statement under 37 C.F.R. Sections 1.97 and 1.98 is transmitted herewith.

Also transmitted herewith is PTO/SB/08A and copies of citations listed.

13. An Assignment of the invention will follow.

14. A copy of U.S. Provisional Application No. 60/070,512 filed 01/06/98 and a copy of U.S. Provisional Application No. 60/100,046 filed 09/11/98 is transmitted herewith.

15. A copy of a Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) & 1.27(c)) as filed in U.S. Provisional Application No. 60/100,046 on 09/11/98 is transmitted herewith.

16. Additional documents:

- a. International Publication No. WO 99/3563, Specification, claims and drawing
- b. Preliminary amendment (37 C.F.R. Section 1.121)
- c. Return Postcard.

17. The above items are being transmitted before 30 months from any claimed priority date.

#### AUTHORIZATION TO CHARGE ADDITIONAL FEES

The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No.: 04-1697

37 C.F.R. Section 1.492(a)(1), (2), (3), and (4) (filing fees)

37 C.F.R. Section 1.492(b), (c), and (d) (presentation of extra claims)

37 C.F.R. Section 1.17 (application processing fees)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a))

37 C.F.R. Section 1.492(e) and (f) (surcharge fees for filing the declaration and/or filing an English translation of an International Application later than 30 months after the priority date).

Date:

June 29, 2000

Customer No. 24283

Curtis A. Vock  
Curtis A. Vock  
Registration No. 38,356  
(303) 449-9497

09/582806

526 Rec'd PCT/PTO 30 JUN 2000  
PATENT

Practitioner's Docket No. 4521/001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Frey, Robert D.; Grealish, Kevin; Vock, Curtis A.; and Marshall, Charles M.  
Application No.: Not Yet Assigned Group No.: Not Yet Assigned  
Filed: Herewith Examiner: Not Yet Assigned  
For: HUMAN MOTION FOLLOWING COMPUTER MOUSE AND GAME CONTROLLER

Box PCT (EO/US)  
Assistant Commissioner for Patents  
Washington, D.C. 20231

## EXPRESS MAIL CERTIFICATE

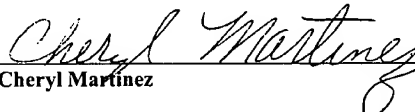
"Express Mail" Label Number: EL591297514US

Date of Deposit: *June 30, 2000*

I hereby certify that the attached correspondence comprising:

1. Check No. 2706 in the amount of \$606.00
2. Postcard
3. Transmittal Letter to the United States Elected Office (3 pages)
4. Response to the Invitation to Correct Defects in the International Application and to Communication in Cases for which no other Form is Applicable and Attachments (25 pages)
5. First Preliminary Amendment and Attachments (12 pages)
6. Copy of the original application filed in PCT/US99/00086 (89 pages)
7. Copy of PCT Application PCT/US99/00086 published under Publication No. WO 99/35633 (94 pages; specification is double sided copy)
8. Combined Declaration and Power of Attorney (3 pages)
9. Copy of International Search Report (5 pages)
10. Transmittal of Information Disclosure Statements (1 page)
11. IDS form PTO/SB/08A (1 page)
12. IDS references (7 for a total of 127 pages)
13. Copy of U.S. Provisional Application No. 60/070,512 filed 01/06/98 (10 pages)
14. Copy of U.S. Provisional Application No. 60/100,046 filed 09/11/98 (85 pages)
15. Copy of Verified Statement Claiming Small Entity Status-Small Business Concern as filed in U.S. Provisional Application No. 60/100,046 on 9/11/98 (1 page)

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to Box PCT (EO/US), Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Cheryl Martinez

(Certificate of Mailing under 37 C.F.R. section 1.8(a)-page 1 of 1)

Please type a plus sign (+) inside this box → ☒

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## PROVISIONAL APPLICATION FOR PATENT COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53 (c).

INVENTOR(S)					
Given Name (first and middle (if any))	Family Name or Surname	Residence (City and either State or Foreign Country)			
Robert D.	Frey	19 Still River Rd, Bolton MA 01740			
Kevin	Grealish	18 Whitney Ave., Westwood, MA 02090			
Curtis A.	Vock	1279 Elder Ave., Boulder CO 80304			
<input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> separately numbered sheets attached hereto					
TITLE OF THE INVENTION (280 characters max)					
HUMAN MOTION FOLLOWING COMPUTER MOUSE AND GAME CONTROLLER					
CORRESPONDENCE ADDRESS					
Direct all correspondence to:					
<input checked="" type="checkbox"/> Customer Number	4521/001P2		Place Customer Number Bar Code Label here		
OR Type Customer Number here					
<input checked="" type="checkbox"/> Firm or Individual Name	Duft, Graziano & Forest, P.C.				
Address	1790 - 30th Street, Suite 140				
Address					
City	Boulder	State	CO	ZIP	80301-1018
Country		Telephone		Fax	
ENCLOSED APPLICATION PARTS (check all that apply)					
<input checked="" type="checkbox"/> Specification Number of Pages	39	<input checked="" type="checkbox"/> Small Entity Statement			
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets	15	<input checked="" type="checkbox"/> Other (specify)	27 Pages - Source Code Appendix		
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT (check one)					
<input checked="" type="checkbox"/> A check or money order is enclosed to cover the filing fees					FILING FEE AMOUNT (\$)
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number:	04-1697				\$75.00
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input type="checkbox"/> No.					
<input type="checkbox"/> Yes, the name of the U.S. Government agency and the Government contract number are: _____					

Respectfully submitted,

SIGNATURE

Curt A. Vock

Date

11 SEP 98

TYPED or PRINTED NAME

Curtis A. Vock

REGISTRATION NO.

38,356

(if appropriate)

Docket Number:

4521-001P

TELEPHONE

303-449-9497

## USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Provisional Application, Assistant Commissioner for Patents, Washington, DC 20231.

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000S JUL 02 07410 **PROVISIONAL APPLICATION COVER SHEET**

*Additional Page*



PTO/SB/16 (12-97)  
Approved for use through 1/31/98. OMB 0651-0037  
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Docket Number		4521/001P	Type a plus sign (+) inside this box	+
<b>INVENTOR(S)/APPLICANT(S)</b>				
Given Name (first and middle (if any))	Family or Surname	Residence (City and either State or Foreign Country)		
Charles M.	Marshall	1279 Elder Avenue, Boulder, CO 80304		

Number 2 of 2



**PROVISIONAL APPLICATION COVER SHEET**

This is a request for filing a **PROVISIONAL APPLICATION** under 37 C.F.R. 1.53(b)(2).

Docket No. VMGV-001PR			Type a plus sign (+) in this box	+
<b>INVENTOR(s)/APPLICANT(s)</b>				
<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>MIDDLE INITIAL</b>	<b>RESIDENCE (CITY &amp; EITHER STATE OR FOREIGN COUNTRY)</b>	
Frey	Robert	D.	19 Still River Road, Bolton, Massachusetts 01740	
<b>TITLE OF THE INVENTION</b>				
<b>Human Motion Following Computer Mouse and Game Controller</b>				
<b>CORRESPONDENCE ADDRESS</b>				
Curtis A. Vock Lappin & Kusmer, LLP Two Hundred State Street Boston, MA 02109 Telephone: (617) 330-1300 Facsimile (617) 330-1311				
<b>ENCLOSED APPLICATION PARTS (check all that apply)</b>				
<input checked="" type="checkbox"/> Specification Number of Pages <u>9*</u> * (including Figures 1-4)		<input checked="" type="checkbox"/> Small Entity Statement		
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets <u>3**</u> **(Figures 1-4)		<input checked="" type="checkbox"/> Other (specify) Certif. of Express Mailing (Label No. EM504396798US)		
<b>METHOD OF PAYMENT (check one)</b>				
<input checked="" type="checkbox"/> A check or money order is enclosed to cover the Provisional filing fees			Provisional Filing Fee Amount  \$75.00	
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional filing fees and/or credit any overpayments to Deposit Account Number: <u>12-0448</u>				

The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

☒ No

☐ Yes, the name of the U.S. Government agency and the Government contract number are: \_\_\_\_\_

Respectfully submitted,

SIGNATURE Curtis A. Vock

DATE: January 6, 1998

TYPED or PRINTED NAME Curtis A. Vock

REGISTRATION NO: 38,356

☐ Additional inventors are being named on separately numbered sheets attached hereto